

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

Applicant(s): M. Mittelstein, et al.

Docket No.

P03115

Serial No.

10/673,296

Filing Date

September 29, 2003

Examiner

To be Assigned

Group Art Unit

3763

Invention: PERISTALTIC PUMP WITH A MOVEABLE PUMP HEAD



I hereby certify that this Statement of Facts in Support of Filing on Behalf of Non-Signing Inventor
(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The
Commissioner of Patents and Trademarks, Washington, D.C. 20231-0001 on March 19, 2004
(Date)

Carla S. Young*(Typed or Printed Name of Person Mailing Correspondence)*

A handwritten signature in black ink that reads "Carla S. Young".

(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: M. Mittelstein, et al.	Examiner: To be Assigned
Serial No.: 10/673,296	Atty. Docket No.: P03115
Filed: September 29, 2003	Art Unit: 3763
For: A PERISTALTIC PUMP WITH A MOVEABLE PUMP HEAD	

**STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF
OF NON-SIGNING INVENTOR UNDER 37 C.F.R. 1.47**

Commissioner of Patents
Alexandria, Virginia 22313

HONORABLE SIR:

This is in Response to Notice to File Missing Parts mailed January 5, 2004.

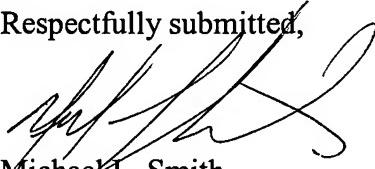
One of the named co-inventors of the present invention, Robert Schauer, at a last known address of 3729 South Alder, Santa Ana, California 92707 has been unresponsive to numerous requests to sign the Declaration and Power of Attorney and Assignment documents for the present invention. The other named inventors have all signed the appropriate documents. On 19 November 2003, Mr. Schauer was first sent via Federal Express documents to sign, then again on 15 January 2004, the inventors were again sent a letter asking them to return the signed documents. The undersigned attempted to call inventor Schauer at his last known phone number of (714) 350-5671, which number had been disconnected.

Finally on 9 February 2004, Mr. Schauer was sent another Federal Express package including all the documents for his signature, and no response has been received from Mr. Schauer.

Therefore from the above stated facts, it is respectfully submitted that it has been established that diligent effort was made to secure the execution of the Declaration by co-inventor Schauer for the above-identified application. Therefore, this Statement of Facts is hereby submitted for filing on behalf of the non-signing inventor Schauer.

This Statement is being made by the undersigned who has first-hand knowledge of the facts recited herein.

Respectfully submitted,



Michael L. Smith
Reg. No. 35,685

DATE: March 19, 2004

Bausch & Lomb Incorporated
One Bausch & Lomb Place
Rochester, New York 14604-2701
TEL: 636-226-3197